

**From:** [Sweeney, Stephen](#)  
**To:** [Lewicki, Chris](#)  
**Subject:** RE: For Jim C: Please review draft TP on Hells Canyon  
**Date:** Thursday, November 30, 2017 9:17:00 AM

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Looks good, but maybe spell out HABs unless you think all of the reading audiences for this will already know what it stands for.

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**From:** Lewicki, Chris  
**Sent:** Wednesday, November 29, 2017 9:54 PM  
**To:** Sweeney, Stephen <Sweeney.Stephen@epa.gov>  
**Subject:** For Jim C: Please review draft TP on Hells Canyon

**New Litigation in the TMDL program: Hells Canyon Phosphorus TMDL**

- The Idaho Conservation League (ICL) has filed a complaint (Nov 16th) against EPA in U.S. District Court for Idaho alleging that EPA has unreasonably delayed responding to plaintiff's March 2015 petition requesting that EPA disapprove and revise a 2004 phosphorus Hells Canyon TMDL developed by the states of Idaho and Oregon (and approved by EPA) for the Hells Canyon reach of the Lower Snake.
- ICL's complaint contends this "phased" TMDL "was intended to be revised in the future as new information becomes available."
- ICL is concerned about both HABs advisories and the conversion of mercury to methylmercury due to elevated phosphorus levels.
- ICL seeks a court order directing EPA to respond to their administrative petition within 30 and attorney fees and costs.
- (b)(5) attorney-client [REDACTED].